United States District Court
For the Northern District of California

1

2

3

4

5   IN THE UNITED STATES DISTRICT COURT

6   FOR THE NORTHERN DISTRICT OF CALIFORNIA

7

8   DERRICK SATCHELL, et al.,   No. C 03-02659 SI
                                                  No. C 03-02878 SI
9   Plaintiffs,

10   v.   **ORDER DENYING DEFENDANT'S
                                                  MOTIONS FOR SUMMARY JUDGMENT
11   FEDEX CORPORATION,   WITHOUT PREJUDICE TO RENEWAL
                                                  AFTER PRODUCTION OF DISCOVERY**
12   Defendant.
                                         /
13

14

15   Defendants have filed motions for summary judgment regarding several of the named plaintiffs in this

16   case; these motions are found at docket # 103 (Valerie Brown), # 105 (Rick Gonzales), # 107 (Kenneth

17   Bernard Stevenson, Sr.), # 117 (Kalini Boykin), and # 236 (Kelvin Smith). In an order filed March 21, 2005,

18   the Court granted plaintiffs' Rule 56(f) motion and reset the briefing schedule on these motions.

19   Plaintiffs filed a renewed Rule 56(f) motion [Docket # 315] contending that defendants again failed to

20   comply with various discovery obligations. In two separate orders filed September 7, 2005, the Court

21   addressed all outstanding discovery matters, and on September 16, 2005, the Court granted defendant

22   extensions of time until October 31, 2005 and November 15, 2005 to produce discovery pursuant to the

23   September 7, 2005 orders.

24   In the interest of managing this litigation, the Court hereby DENIES WITHOUT PREJUDICE

25   defendant's pending motions for summary judgment. Defendant may refile these motions after defendant has

26   produced the discovery that is the subject of the Court's September 7, 2005 orders. When refiling any such

27   motion, defendant may incorporate by reference any previously filed motion or declaration.

28   **IT IS SO ORDERED.**

1

2   Dated: September _28___, 2005

3   _____

4   SUSAN ILLSTON
                                                     United States District Judge

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

United States District Court

For the Northern District of California

2